

OK TO ENTER: /S.G./

03/17/2009

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:	)	Before the Examiner:
Bianchi et al.	)	Suzette J. Gherbi
	)	
Application of Serial No. 10/699,175	)	Group Art Unit 3738
	)	
Filed October 31, 2003	)	Ref. No. MSDI-434
	)	
OPEN INTERVERTEBRAL SPACER	)	March 12, 2009

**RESPONSE TO FINAL OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the final Office Action dated January 15, 2009, please consider the following remarks. Additionally, please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 132546, but not to include payment of issue fees.

**INTRODUCTORY COMMENTS**

Claims 362-425 were pending in the subject application prior to the filing of this response. In view of the following remarks, the Applicant respectfully requests reconsideration and allowance of the subject application.